



## COUNCIL MINUTES

December 8, 2008

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on December 8, 2008 at 5:48 p.m.

### COUNCIL PRESENT

Mayor Scott Smith  
Alex Finter  
Dina Higgins  
Kyle Jones  
Dennis Kavanaugh  
Dave Richins  
Scott Somers

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Christopher Brady  
Linda Crocker

Invocation by Reverend Jeri Wilkerson, First United Church of Mesa.

Pledge of Allegiance was led by Councilmember Somers.

Mayor's Welcome.

Mayor Smith welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

### 1. Take action on all consent agenda items.

All items listed with an asterisk (\*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

It was moved by Vice Mayor Jones, seconded by Councilmember Somers, that the consent agenda items be approved.

Mayor Smith stated that with regard to item 4d (Broadway Recreation Center Chiller Installation), he wished to thank the Salt River Pima Maricopa Indian Community (SRPMIC) for awarding such a generous grant (\$150,000) to the City of Mesa. He also recognized McCarthy Building Companies, Inc. for the substantial contributions it has made to the project as well.

Councilmember Somers commented that relative to item 5d (Adopting the Mesa Gateway Strategic Development Plan Document), staff and the consultants from HDR, who were retained to prepare the Plan, have been successful in drafting a “leading edge” document. He stated that the Plan is the City’s vision for the Mesa Gateway area and noted that it incorporates the use of a form-based approach with regard to zoning. Councilmember Somers thanked Planning Director John Wesley and the consultants for their efforts and hard work over the past two years. He also expressed confidence that the document would assist the City, for example, in creating 100,000 high-wage jobs and becoming a model of sustainable development practices.

Mayor Smith advised that Stephen L. West, Board Chair of the Mesa Convention & Visitors Bureau, submitted a comment/speaker card in support of items 5d and 5e, but did not wish to address the Council.

Mayor Smith stated that item 5e requires a two-thirds vote of the Council in order for the matter to be adopted.

Mayor Smith called for the vote.

Carried unanimously.

\*2. Approval of minutes of previous meetings as written.

Minutes of the September 4 and 18, November 17 and December 1, 2008 Council meetings.

3. Conduct a public hearing and take action on amending the Mesa 2025 General Plan text for the following Minor General Plan Amendment:

3a. Public hearing on General Plan Amendment **GPMInor08-13 (Citywide)**

Mayor Smith announced that this is the time and place for a public hearing regarding General Plan Amendment **GPMInor08-13 (Citywide)**.

Councilmember Kavanaugh stated that the addition of a new land use category titled “Mixed Use/Transit Oriented Development (MU/TOD)” is an important step for the community and commented that the impact would be felt first in west Mesa. He expressed appreciation to Councilmember Richins for his efforts and hard work with regard to this issue prior to becoming a member of the City Council. Councilmember Kavanaugh also thanked staff for engaging the public and the stakeholders in the TOD process.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

3b. Take action on the following resolution:

**GPMInor08-13 (Citywide)** Text Amendment to the Mesa 2025 General Plan. Minor General Plan Amendment to add a new land use category titled “Mixed Use/Transit Oriented Development (MU/TOD).” In particular, the text amendment deals with specific revisions to Section 2.1.3 for Land Use Plan/Zoning Conformity and Section 2.3.2 for Land Use Category Definition – Resolution No. 9428.

P&Z Recommendation: Adoption. (Vote: 7-0)

It was moved by Councilmember Richins, seconded by Councilmember Kavanaugh, that Resolution No. 9428 be adopted.

Carried unanimously.

3.1. Take action on the following liquor license application:

\*3.1a. L-Trains Cheap Seats Sports Grill

New Restaurant License for L-Trains Cheap Seats Sports Grill, 1316 South Longmore, Suite #101, BlakItalia LLC. – Lionel Manuel Jr., Agent. The previous Restaurant liquor license held at this location by Cheap Seats Sports Grill, issued 4/9/2008, will revert back to the State. **(District 3)**

4. Take action on the following contracts:

\*4a. Water Meter Assembly Rehabilitation, City of Mesa Project No. 01-603-005.

This project will replace thirty (30) commercial water meters that range in size from 4-inch to 8-inch throughout the City. The meters serve large users such as apartment complexes, condominiums and mobile home parks. These meters are beyond their service life and are located underground in concrete vaults. This project will install new meters above ground, which will allow for more cost-effective maintenance. In addition, a backflow prevention device will be installed at each meter location to prevent water from traveling back into the City's water system. None of the existing water meters being replaced currently have backflow prevention devices.

Recommend award to the low bidder, Shiya-Strephans Contracting Company, in the amount of \$328,600.00 plus an additional \$32,860.00 (10% allowance for change orders) for a total award of \$361,460.00. Funding is available from the adopted FY 08/09 Water Bond Capital Program.

\*4b. Gas Main Extension (Phase 2) Arizona Farms Road from Apollo Road to Attaway Road, City of Mesa Project No. 05-023-001.

This project will install approximately 9,200 linear feet of 8-inch steel gas pipe and 9,100 linear feet of 4-inch polyethylene (P.E.) gas pipe. The new gas lines will connect the south portion of the Magma gas system to the supply which is located to the west on Arizona Farms Road. The existing system is nearing capacity and an additional supply point is needed to provide more capacity during the heating season. The additional feed will also provide a much needed back feed and system security to the Johnson Ranch area, which is being fed by a single line and has approximately 10,000 customers.

Recommend award to the low bidder, Arizona Pipeline Company, in the amount of \$449,875.00 plus an additional \$44,987.50 (10% allowance for change orders) for a total award of \$494,862.50. Funding is available from the adopted FY 08/09 Gas Bond Capital Program.

- \*4c Gas Main Extension, Gantzel Road – Bella Vista Road to south of Union Pacific Railroad, City of Mesa Project No. 07-025-001.

This project will install approximately 5,300 linear feet of 8-inch steel high pressure gas pipe and 5,300 linear feet of 4-inch polyethylene (P.E.) gas pipe installed parallel in a joint trench along Gantzel Road. The 4-inch gas line will serve the new Florence High School and additional future customers that develop along Gantzel Road and the 8-inch high pressure gas main will be the first phase of a two-phase gas main extension to provide a critical feed from the Gantzel Road gate station (the City's connection to the El Paso Natural Gas transmission main) to an existing high pressure line in Bella Vista Road serving the majority of the customers in the Magma gas system.

Recommend award to the low bidder, Mastec North America, Inc., in the amount of \$212,898.10 plus an additional \$21,289.81 (10% allowance for change orders) for a total award of \$234,187.91. Funding is available from the adopted FY 08/09 Gas Bond Capital Program.

- \*4d. Broadway Recreation Center Chiller Installation, 59 East Broadway Road, City of Mesa Project No. 07-050-001. **(District 4)**

This project will install a new chiller system for the gymnasium on the east side of the building within the equipment yard.

Recommend award to the low bidder, McCarthy Building Companies, Inc., in the amount of \$199,000.00 plus an additional \$19,900.00 (10% allowance for change orders) for a total award of \$218,900.00. Funding comes from a Salt River Pima Maricopa Indian Community (SRPMIC) Grant (\$150,000), Mesa Association of Sports for the Disabled (MASD) contributions (\$30,000) and the Parks and Recreation budget (\$38,900).

5. Take action on the following resolutions:

- \*5a. Approving and authorizing the procurement of a firm electric power supply, and periodic supplemental supplies – Resolution No. 9422.
- \*5b. Approving and authorizing the City Manager to execute a Grant Agreement with the State of Arizona Department of Homeland Security to secure grant funds in the amount of \$56,905 to provide equipment for the Police Department's Explosive Ordnance Device Team – Resolution No. 9423.
- \*5c. Approving and authorizing the City Manager to execute a Grant Agreement with the Arizona Criminal Justice Commission to secure grant funds in the amount of \$17,600 for overtime earned by police officers testifying in DUI cases – Resolution No. 9424.
- \*5d. Adopting the Mesa Gateway Strategic Development Plan Document – Resolution No. 9425.

P&Z Recommendation: Adoption. (Vote: 7-0)

- \*5e. Approving and finding the existence of slum and blight for the Mesa Proving Grounds property and designating the property as a redevelopment area – Resolution No. 9426. **(two-thirds vote required)**
- \*5f. Authorizing the sale of Units 2 and 3 of the Carousel View Condominium (4<sup>th</sup> Floor) located at 145 North Centennial Way. The sale price is \$3,150,000 – Resolution No. 9427.

6. Introduction of the following ordinances and setting January 12, 2009, as the date of the public hearing on these ordinances:

- \*6a. **Z08-67 (District 5)** 6750 East Baywood Avenue. Located north of Broadway Road on the west side of Power Road (4.8± ac). Site Plan Modification and Modification of BIZ Overlay. This request will allow an addition to an existing hospital. Banner Health Systems, owner; Deva Powell, HKS Inc, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

- \*6b. **Z08-68 (District 6)** The 7400 to 7500 blocks of East Southern Avenue (north side). Located west of Sossaman Road on the north side of Southern Avenue (11.57± ac). Rezone from C-2 DMP to C-2 PAD DMP and Site Plan Review. This request will allow for the development of a group commercial center. Kevin Page, Vice President, The Arizona Real Estate Fund II, LLC., owner; David Calcaterra, Deutsch Architecture Group, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

7. Discuss, receive public comment and take action on the ordinances introduced at a prior Council meeting. Any citizen who wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (\*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- \*7a. **A06-26 (District 5)** Annexing vacant land located south of Thomas Road and east of Hawes Road (11.07 +/- ac). Initiated by Reese Anderson, Pew & Lake, PLC, representing the property owner. Staff Recommendation: Approval. **(CONTINUED FROM THE NOVEMBER 17, 2008 COUNCIL MEETING.) (CONTINUED TO THE JANUARY 12, 2009 COUNCIL MEETING.**

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the meeting adjourned at 6:00 p.m.

---

SCOTT SMITH, MAYOR

ATTEST:

---

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 8<sup>th</sup> day of December 2008. I further certify that the meeting was duly called and held and that a quorum was present.

---

LINDA CROCKER, CITY CLERK

pag